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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
NGUYEN, QUYNH H	
ART UNIT	PAPER NUMBER
2614	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/19/2006	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/653,670	REID, LAURA	
	Examiner	Art Unit	
	Quynh H. Nguyen	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 October 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *2-12 and 14-18* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *2-12 and 14-18* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. Applicant's amendment filed 10/12/06 has been entered. No claims have been amended. No claims have been cancelled. No claims have been added. Claims 2-12 and 14-18, are still pending with claims 4 and 16 being independent.

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

3. Claims 2-8 and 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thornton et al. (U.S. Patent 6,665,293) in view of Vortman et al. (2003/0002479) and further in view of Lin et al. (Pub. No.: US 2004/0240430).

As to claim 2, Thornton et al. teach the IP data network 30 that inter-connects via LAN 15 of Fig. 1, and LAN 15 inter-connects to IP-based devices such as networked computers, printers and other equipments, which are not shown in Fig. 1 (col. 9, lines 54-63). The step of converting the analog phone call signal to a digital VoIP phone call signal is obvious prior to connect the analog telephone call to IP-based devices.

However, Thornton et al. do not explicitly teach routing a VoIP phone call to a cable modem device.

Lin et al. teach a cable modem is used to connect to the data network (packet switched network) (page 1, [0012]).

It would have been obvious to one of ordinary skill in the art at the time the invention was made that it is necessary to use any of a traditional modem such as: a DSL modem or a cable modem to connect a telephone call to the data network or Internet, the latter is the prefer one in this instant application. This is the only way a user can communicate to the Internet.

Claim 3 is rejected for the same reasons as discussed above with respect to claim 2. However, Thornton et al. do not explicitly teach routing a VoIP phone call to a digital subscriber line (DSL) modem device.

Lin et al. teach the connection to the data network (packet switched network) over a physical medium implemented using a DSL modem (page 1, [0012]).

It would have been obvious to one of ordinary skill in the art at the time the invention was made that it is necessary to use any of a traditional modem, a cable modem, or a DSL modem to connect a telephone call to the data network or Internet, the latter is the prefer one in this instant application. This is the only way a user can communicate to the Internet.

As to claim 4, Thornton et al. teach a method of routing phone calls in a communication system comprising: selectively routing a phone call through an analog phone line to a local access phone provider (col. 10, lines 20-24), and gateway 200 is part of a local access phone provider) for communication across a PSTN (col. 7, lines 1-8; col. 11, lines 45-48; col. 29, lines 10-17) or converting the phone call to a VoIP phone

call (col. 2, lines 59-66; col. 13, lines 62-65 - *where Thornton discussed Digital Signal Processor 225 convert digitized telephony signal from telephone call to data network (IP data) into suitable IP packets and transmit them over the LAN, then over the data network to a VoIP telephony gateway, hence routing the phone call to IP data network to VoIP gateway)* and routing the VoIP phone call through a broadband network modem device (col. 12, lines 19-44 - *modulating T1/E1 data signals and sending over the network, hence there exist a modem*) to a local access Internet provider for communication across a packet switched network over a data network (col. 10, lines 59-62) based on a called number to which the phone call is directed (col. 6, lines 63-67). Thornton et al. further teach that IP data network 30 that inter-connects via LAN 15 of Fig. 1, and LAN 15 inter-connects to IP-based devices such as networked computers, printers and other equipments which are not shown in Fig. 1 (col. 9, lines 54-63); and a private data network or a public network such as the Internet (col. 9, lines 13-18; col. 2, lines 64-66).

However, Thornton et al. do not explicitly teach routing an analog signal through an analog phone line to a local access phone and routing a phone call to a broadband network modem.

Vortman et al. teach routing an analog signal through an analog phone line to a local access phone (figs. 2 and 3; page 2, [0009]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Vortman into the teachings of Thornton in thus having an efficient system in the event

there is a need for handling analog signal instead of digital signal. However, Thornton and Vortman do not teach routing a VoIP phone call to a broadband network modem.

Lin et al. teach the connection to the data network (packet switched network) over a physical medium implemented using broadband network modem such as a cable modem (packet switched network) (page 1, [0012]).

It would have been obvious to one of ordinary skill in the art at the time the invention was made that it is necessary to use any of a traditional modem such as: a DSL modem or a broadband network modem to connect a telephone call to the data network or Internet, the latter is the prefer one in this instant application. This is the only way a user can communicate to the Internet.

Claim 5 is rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Thornton et al. teach the called number corresponds to at least one predefined number (col. 7, lines 1-8; col. 11, lines 45-48; col. 29, lines 10-17).

As to claim 6, Thornton et al. teach routing the phone call to the packet switched network when the called number does not correspond to the at least one predefined number (col. 10, lines 59-62 - *where Thornton discussed each gateway provides either of two path for routing traffic: PSTN 20 or data network 30,* and col. 29, lines 10-30 - *where Thornton discussed routing predefined number through PSTN and not through the data network, hence the called number that does not correspond to the predefined number would have to be routed through the only path left is data network or packet switched network*).

As to claim 7, Thornton et al. teach the predefined number is 911 (col. 7, lines 1-8 and col. 11, lines 45-48).

Claim 8 is rejected for the same reasons as discussed with respect to claim 4. Furthermore, Thornton et al. teach routing a call as a Voice-Over-Internet-Protocol to an Internet network when the called number does not correspond to an emergency number (col. 25, lines 47-66; col. 29, lines 15-46 - *where Thornton discussed for VoIP call transiting through the gateway, IP packets supplied to TCP/IP process for routing to the LAN and to the data network*).

Claim 11 is rejected for the same reasons as discussed with respect to claim 4. Furthermore, Thornton et al. teach providing the called number to the PSTN or the packet switched network based on the called number (col. 45, lines 55-65 - *where Thornton discussed providing the called number to the gateway and to the call handler CH 560, then to the PSTN).*

Claim 12 is rejected for the same reasons as discussed with respect to claim 4. Furthermore, Thornton et al. teach routing the digital VoIP call to an Internet network to a VoIP provider (col. 13, lines 62-65 - *where Thornton discussed Digital Signal Processor 225 convert digitized telephony signal from telephone call to data network (IP data) into suitable IP packets and transmit them over the LAN, then over the data network to a VoIP telephony gateway, hence routing the phone call to IP data network to VoIP gateway*).

4. Claims 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thornton et al. in view of Vortman et al. in view of Lin et al. and further in view of Yeh et al. (Pub. No.: US 2005/0073995).

Claim 9 is rejected for the same reasons as discussed with respect to claim 4, Thornton, Vortman, and Lin do not explicitly teach selectively establishing an analog connection between a phone and the PSTN or a digital connection between the phone and the packet switched network based on the called number.

Yeh et al. teach selectively establishing an analog connection between a phone and the PSTN (page 2, [0016], lines 4-9) or a digital connection between the phone and the packet switched network based on the called number (page 2, [0016], lines 1-4).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of selectively establishing an analog connection between a phone and the PSTN or a digital connection between the phone and the packet switched network based on the called number, as taught by Yeh, in Thornton's, Vortman's and Lin's systems thus making the system more efficient by routing PSTN phone numbers through PSTN network in order to reduce telephone fees and increase convenient, as discussed by Yeh (page 1, [0012]).

As to claim 10, Thornton et al. teach converting analog signal from the phone to a digital signal based on the called number (col. 14, lines 31-36).

5. Claims 14-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thornton et al. (U.S. Patent 6,665,293) in view of Vortman et al. (Pub. No.: US 2003/0002479) and further in view of Lin et al. (Pub. No.: US 2004/0240430).

As to claim 14 is rejected for the same reasons as discussed above with respect to claim 2. Furthermore, Thornton et al. teach a controller (Fig. 2, controller 240, digital signal processor 225).

As to claim 15 is rejected for the same reasons as discussed above with respect to claim 3. Furthermore, Thornton et al. teach a controller (Fig. 2, controller 240, digital signal processor 225).

Claim 16 is rejected for the same reasons as discussed above with respect to claim 4. Furthermore, Thornton et al. teach gateway 200 of Fig. 1 comprising:

a controller (Fig. 2, controller 240, digital signal processor 225) that is configured to selectively routing a phone call to a public switched telephone network (col. 7, lines 1-8; col. 11, lines 45-48; col. 29, lines 10-17) or to a packet switched network (data network) based on a called number to which the phone call is directed (col. 6, lines 63-67).

Thornton et al. do not specifically teach the phone adapter comprising: a phone interface that is configured to be communicatively connected to a phone; a PSTN interface connected to the PSTN; and an Internet interface connected to the Internet.

Vortman et al. teach a phone adapter (Fig. 4, 52) comprising: a phone interface that is configured to be connected to a phone (Fig. 4, *phone interface 72 connected to phone 50 via link 66)*; a PSTN interface (Fig. 4, *phone line interface 80 connected a*

phone line through plug 70 and then to PSTN 24 as shown in Fig. 3); and an serial interface 82 connected to work station 48 and used by the agent to connect to network 46 or a different packet network or Internet network (page 3, [0048], lines 14-16).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the phone adapter comprising: a phone interface that is configured to be communicatively connected to a phone; a PSTN interface connected to the PSTN; and an Internet interface connected to the Internet, as taught by Vortman in Thornton's system in order to enable user's telephone to be used both as a telephone line interface for calls over PSTN and as in audio interface for VoIP calls through the user's PC, as discussed by Vortman (page 2, [0009]), and the user can use the PC to connect to different packet network, also discussed by Vortman (page 3, [0048, lines 14-16). Even though Thornton does not specifically recites a phone adapter comprising a phone interface, a PSTN interface, and an Internet interface; in order for the gateway 200 to connect to phone 16, selectively routing a phone call to a PSTN 20 or Data (Packet) Network 30, and be able to switch between passing analog signal to PSTN and digital signal to Data Network, there must exist an interface in order to communicate between the gateway and the communication device/network.

As to claim 17 is rejected for the same reasons as discussed above with respect to claim 5. Furthermore, Thornton et al. teach a controller (Fig. 2, controller 240, digital signal processor 225).

Claim 18 is rejected for the same reasons as discussed above with respect to the last limitation of claim 16. Furthermore, Thornton et al. teach the controller

configured to determine whether the called number corresponds to at least one predefined number comprising a switch that is configured to selectively pass a signal from phone to the PSTN based on the determination by the controller (col. 28, line 61 through col. 29, line 17 - *where Thornton discussed the call handler CH 560 interacts with both DSP driver 519 and TASQ process 537 to determine whether the called number corresponds to one of a predefined number then pass a signal from a phone to the PSTN or route the call through the PSTN).*

Response to Arguments

6. Applicant's arguments filed 10/12/06 have been fully considered but they are not persuasive.

Applicant mainly argues that Thornton does not disclose a phone network interface that selectively outputs an analog phone call signal or converts an analog phone call signal to a digital VoIP phone call signal. Examiner respectfully disagrees. Thornton teaches a phone network interface (Fig. 1, PBX 14, Gateway 200) selectively routing a phone call through an analog phone line to a local access phone provider (col. 10, lines 20-24), and gateway 200 is part of a local access phone provider) for communication across a PSTN (col. 7, lines 1-8; col. 11, lines 45-48; col. 29, lines 10-17) or converting the phone call to a VoIP phone call (col. 2, lines 59-66; col. 13, lines 62-65 - *where Thornton discussed Digital Signal Processor 225 convert digitized telephony signal from telephone call to data network (IP data) into suitable IP packets and transmit them over the LAN, then over the data network to a VoIP telephony*

gateway, hence routing the phone call to IP data network to VoIP gateway) and routing the VoIP phone call through a broadband network modem device (col. 12, lines 19-44 - *modulating T1/E1 data signals and sending over the network, hence there exist a modem*) to a local access Internet provider for communication across a packet switched network over a data network (col. 10, lines 59-62) based on a called number to which the phone call is directed (col. 6, lines 63-67).

Applicant argues that in Thornton, neither the PBX 14 nor the gateway 200 selectively routes an analog phone call signal through an analog phone line for communication to a local access phone provider (Remarks, page 9). The local access provider would be in between telephone 16 and PBX 14 that is not shown in Fig. 1.

Applicant argues that the data network 30 is a private network, not the Internet (Remarks, page 10). Examiner respectfully disagrees. Thornton teaches a private data network or a public network is the Internet (col. 9, lines 13-18; col. 2, lines 64-66).

Applicant argues that the combination of Thornton, Vortman, and Lin do not disclose a phone network interface (Remarks, pages 10 and 11). As discussed above, the primary reference Thornton has the limitation.

Applicant argues that Vortman does not disclose the limitations of claims 4 and 16, since Vortman describes a routing server in the call center within the call center premises 40 of a local access provider. The same response already addressed above with regard to the main reference Thornton.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quynh H. Nguyen whose telephone number is 571-272-7489. The examiner can normally be reached on Monday - Thursday from 6:30 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on 571-272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Quynh H. Nguyen

Quynh H. Nguyen

December 15, 2006